

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Part 97 of the Commission's)	
Amateur Radio Service Rules to Eliminate)	RM - 10786
Morse Code Proficiency Testing)	
For All Classes of Amateur Licenses)	
)	
To: The Commission)	

Comments Of: Robert C McKusick Jr. (W6ZAP)

The world of technology has changed considerably and all of the reasons for requiring Morse code proficiency of amateur radio operators has changed as well.

There is no need for Morse code knowledge for the following reasons:

1. No government or commercial radio service uses Morse code today; consequently the need for Morse code training is not needed.
2. Morse code is no longer needed in cases of civil or maritime emergency.
3. The continued requirement for Morse code is contrary to one of the commission's own statutory mandates.
4. The IARU recognizes that continuing Morse code proficiency requirements is not in the best interest of the Amateur radio service.

The *only* reason that the commission cited in its most recent review of its Part 97 amateur rules(WT Docket No. 98-143) for keeping *any* Morse testing was in keeping with the ITU Radio regulations and that ITU requirement no longer exists.

Since the Commission is no longer bound by an unwaiveable requirement in the ITU radio regulations is can and should now, remove this unnecessary, restrictive requirement.

It is not in the best public interest for the Commission to impose more onerous and unnecessary burdens on those seeking an Amateur Radio License than those seeking a License in other countries that have already eliminated the requirement of Morse code.

The Commissions own determinations as well as a significant body of public comment from the proceedings in both 1990 and 1999, as referenced in the NCI Petition, clearly demonstrate that a Morse code proficiency test requirement is unnecessary and undesirable in that:

It does not comport with the basis and purpose of the Amateur Radio Service.

It acts as a barrier to entry or advancement to otherwise qualified persons.

It is not necessarily indicative of a persons ability to contribute to the advancement of the Radio Arts.

It no longer continues to serve a regulatory purpose.

The Commission has the authority to amend its Part 97 Rule to eliminate Morse code proficiency requirements by expedited order and without formal notice and public input.

In summary for all the reasons outlined and referenced herein, the Commission should enact the following changes to its rules in the most expeditious manner possible:

1. Eliminate the "Element 1" Morse test totally from the Commissions rules for all Classes.
2. Since the only testing distinction between the Technician class and the (Grandfathered) Technician Plus class is the "Element1" Morse Test, modify, as a consequential and logical change, the privileges afforded to Technician class licensees to be equivalent to those currently afforded to Technician Plus Licensees and "Technician with Morse Credit", licensees.

Respectfully submitted,

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